

State of South Dakota

EIGHTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2009

525Q0338

HOUSE BILL NO. 1136

Introduced by: Representatives Brunner, Feickert, and Rausch and Senators Rhoden and Gillespie

1 FOR AN ACT ENTITLED, An Act to repeal certain provisions relating to the purchase of
2 private water lines.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 9-47-9 be repealed.

5 ~~—9-47-9. Whenever there has been constructed by any person or persons within any street or~~
6 ~~alley, within the limits of the municipality, a private water pipe or main as defined by statute,~~
7 ~~the municipality may purchase such water pipe or main or any part thereof at a cost not in excess~~
8 ~~of the cost of constructing a similar water pipe or main similarly situated.~~

9 Section 2. That § 9-47-10 be repealed.

10 ~~—9-47-10. No purchase shall be made pursuant to § 9-47-9 until plans and specifications of~~
11 ~~the location, arrangement, form, size, and material used in the construction of such water pipe~~
12 ~~or main and an estimate of the cost of constructing the same at the time of making such estimate~~
13 ~~shall have been made and filed with the auditor or clerk of the municipality by an engineer or~~
14 ~~other competent person, and a resolution providing for such purchase has become effective after~~
15 ~~notice and hearing thereon as hereinafter provided. In no event may the municipality purchase~~



- 1 ~~said water pipe or main at a price in excess of the actual cost thereof at the time same was~~
- 2 ~~constructed, less a reasonable allowance for depreciation since the original installation.~~